REMARKS

The Non-Final Office Action mailed February 28, 2011, considered and rejected claims 1, 3-7, 9, 10, 12-16, 18-32, 34-36, 44, 45 and 48-50.

By this paper, claims 1, 3-7, 9-10, 12-16, 19-20, 22-24, 26, 29, 32, 34-35, 44-45 and 48-50 have been amended, claims 18 and 21 have been cancelled and new claims 51-52 have been added. Accordingly, claims 1, 3, -7, 9-10, 12-16, 19-20, 22-32, 34-36, 44-45 and 48-52 are now pending, of which claims 1 and 44 are now the only independent claims at issue. Support for the claim amendments and the new claims is found throughout the originally filed application and claims, including the disclosure presented in at least paragraphs [0013]-[0017], [0033], [0048]-[0051], [0075]-[0082], [0091], [0095] and Figure 3 of the corresponding pre-grant publication, US 2005/0108332.

In-Person Interview

Initially, Applicant thanks the Examiner for the courtesies extended during the recent in-person interview held on April 20, 2011. The claim amendments and arguments submitted in this paper are consistent with the amendments and arguments presented during the course of the interview and which appeared during the interview to overcome the existing rejections of record. Accordingly, entry of this amendment and favorable reconsideration of the pending claims is respectfully requested.

Claim Objections

Claims 1 and 15 were objected to for minor informalities which have been addressed by amendments made by this paper. The objections are accordingly moot, and Applicant respectfully requests withdrawal of the objections to claims 1 and 15.

Objections to the Specification and 35 U.S.C. §112 Rejections

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter, and claims 1, 4-7, 9-10, 12, 15 and 44-45 were rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement. However, these objections/rejections are moot in view of the amendments made by this paper.[1]

[1] For example, claims 1 and 44 no longer recite the phrase "natively compatible," claim 6 has been clarified and no longer recites that an extension "also remains attached," and claims 1, 4-7, 9-10, 12, 15 and 45 now recite "adding" instead of "attaching" (which is supported by at least paragraph [0082] of US 2005/0108332).

Claims 1, 5-6, 9 and 44 were also rejected under 35 U.S.C. §112, second paragraph for being indefinite. However, Applicant respectfully submits that amendments made to each of these claims, which clarify the claimed embodiments and which specifically address these §112 rejections, render these §112 rejections moot as well.

Accordingly, Applicant respectfully requests withdrawal of the objection to the specification and the §112 first and second rejections.

35 U.S.C. §102 and §103 Rejections

Claims 1, 3-7, 9, 18-22 and 44 (which includes each independent claim) were rejected under 35 U.S.C. §102(b) as being anticipated by Guck, which includes Guck1 (US 5,794,039), Guck2 (US 5,911,776) and Guck3 (US 5,848,415), where Guck2 and Guck3 were incorporated by reference into Guck1. In addition, many dependent claims were also rejected under 35 U.S.C. §103(a) in view of Guck in further combination with several additional references.[2]

As discussed during the interview, the present invention is generally directed to embodiments for creating a single message item that is compatible with a plurality of messaging protocols and applications, and that can thus be sent to various applications via various protocols without translation.

Independent Claim 1

Claim 1, for example, recites a method for creating an electronic message that can be sent using a plurality of different message protocols and that is formatted to be compatible with a plurality of different message applications. The method includes creating a single message item representing the electronic message in accordance with a general message schema. Creating the single message item includes defining one or more general data fields according to the general message schema. These general data fields correspond to general properties common to the plurality of different message protocols and message applications. Creating the single message item also includes formatting the single message item for compatibility with the plurality of

[2] Claim 10 was rejected in further combination with Outlook (Outlook Express EML), claims 23-24 and 34-35 were rejected in further combination with Luzeski (US 6,404,762), Lee (US 6,212,553) and Kennedy (US 6,134,582), claims 25 and 36 were rejected in further combination with, Luzeski, Lee, Kennedy, and Almond (US 6,112,024), claims 26-27 were rejected in further combination with RFC 2046 (MIME Part Two: Media Types), claim 28 was rejected in further combination with RFC 2046 and RFC 2017 (Definition of the URL MIME External-Body Access-Type), claim 29 was rejected in further combination with Chao (US 2004/0128355), claims 30-31 were rejected in further combination with Chao and RFC 2017, claim 32 was rejected in further combination with NNTP (S. Barber), claims 12-16, 45, 48 and 50 were rejected in further combination with Lewis (US 2003/0109271), and claim 49 was rejected in further combination with Lewis and Yost (US 6,260,050).

different message protocols. This formatting involves adding protocol specific data fields from at least one protocol specific extension schema for each different message protocol to the single message item itself, and assigning values to the protocol specific data fields within the single message item. Similarly, creating the single message item also includes formatting the single message item for compatibility with the plurality of different message applications. The formatting includes adding application specific data fields from at least one application specific extension schema for each different message application to the message item itself, assigning values to the application specific data fields within the single message item. Once created, the single message item, which includes the protocol specific data fields for each different message protocol and the application specific data fields for each different message applications is sent to two or more of the different message applications via two or more of the different message protocols.

The independent claims were rejected as being anticipated by Guck (Guck1, Guck2, and Guck3), while many dependent claims were rejected as being obvious in further combination with other references. Applicant respectfully submits, however, that these references, when considered in any combination, fail to anticipate, disclose, or suggest each limitation of the independent claims for at least the following reasons, as well as for the reasons discussed during the interview.

The Guck references are generally directed to embodiments for a document conversion system that dynamically converts a source document into destination formats based on configured shadow files. However, these references fail to anticipate, disclose, or suggest any embodiment for creating and sending a single message item representing an electronic message which includes (i) one or more general data fields defined according to a general message schema, (ii) protocol specific data fields for a plurality of different message protocols, and (iii) application specific data fields for a plurality of different message applications, particularly in the manner claimed. In Guck1, for example, a received message is converted into a virtual message object representing the message. To deal with alternate protocols, Guck1 uses a shadow converter mechanism which "*must* be used because a shadow object *must* be created and connected to some container which the alternate protocol will see" (col. 10, ll. 63-67). Thus, Guck1 deals with alternate protocols by creating new shadow objects for protocol conversion. The claims are distinguishable from Guck1's approach, inasmuch as the claimed embodiments

create a *single* message item, add protocol specific and application specific data fields to the *single* message item *itself*, and then *send* the *single* message item (including all of the protocol specific and application specific data fields) to different applications using different protocols.

Guck1's shadow files are discussed in more detail in Guck2. While Guck1 deals primarily with receiving message and storing the received messages, Guck2 is generally directed to sending messages, and further illustrates how the claims are distinguishable over Guck1's shadow files. As illustrated by Figures 2A-2C, Guck2 creates a source file (e.g., info.rtf) in one format (e.g., rich text), and then creates a plurality of empty "shadow files" (e.g., info.tiff, info.gif) which are used to dynamically convert the content of the source file to other formats for a requester. When sending content to the requester, Guck2 converts content of the source file to a destination format, and forwards the converted data to the requester. Thus, Guck2 also requires a plurality of objects (a source object and at least one shadow object) for sending the source file to multiple environments, as opposed to the claimed *single* message item that, *itself*, contains protocol specific and application specific data fields for a plurality of different protocols and which is sent directly to different applications using different protocols.

Guck3 is substantially directed to the same subject matter as Guck1 and Guck2, and also fails to anticipate, disclose, or suggest creating and sending a *single* message item that, *itself*, contains protocol specific and application specific data fields.

While independent claim 1 was rejected as being anticipated by Guck, many of its dependent claims were rejected under §103 as being obvious in view of a variety of other references, most of which were used to reject specifically-claimed data fields.[3] However, Applicant respectfully submits that these references also fail to disclose or suggest the claimed embodiments of *single* message item that, *itself*, contains protocol specific and application specific data fields and which is sent directly to different applications using different protocols.

Accordingly, the cited references, when singly or in combination, fail to anticipate, disclose, or suggest at least:

> "formatting [a] single message item for compatibility with [a] plurality of different message protocols, including for each different message protocol in the plurality of different message protocols ... <u>adding protocol specific data fields</u>

[3] As indicated above, these references include Outlook, Luzeski, Kennedy, Almond, RFC 2046, RFC 2017, Chao, NNTP, Lewis, and Yost.

from at least one protocol specific extension schema to the single message item itself,"

"formatting the single message item for compatibility with the plurality of different message applications, including for each different message application in the plurality of different message applications ... adding application specific data fields from at least one application specific extension schema to the message item itself," and

"sending the single message item, *which has been formatted to include the protocol specific data fields for each of the plurality of different message protocols and the application specific data fields for each of the plurality of different message applications,* to two or more of the plurality of different message applications via two or more of the plurality of different message protocols."

as recited by claim 1. Accordingly, Applicant respectfully submits that independent claim 1, as well as its corresponding dependent claims, are allowable over the cited references, and respectfully requests withdrawal of the §102 and §103 rejections of these claims.

Independent Claims 44 and 53

The remaining independent claims are claims 44 and 53. Claim 44 recites computer storage devices which incorporate limitations similar to those of claim 1. For example, claim 44 includes:

"populating the single message item with data fields that make the single message item compatible with the plurality of different message protocols, including for each different message protocol in the plurality of different message protocols ... snapping on protocol specific data fields from at least one protocol extension schema to the single message item itself,"

"populating the single message item with data fields that make the single message item compatible with the plurality of different message applications, including for each different message application in the plurality of different message applications ... snapping on application specific data fields from at least one application specific extension to the message item itself," and

> "send[ing] the single message item, which has been populated with the protocol specific data fields for each of the plurality of different message protocols and the application specific data fields for each of the plurality of different message applications, to two or more of the plurality of different message applications via two or more of the plurality of different message protocols."

Accordingly, Applicant respectfully submits that independent claim 44, as well as its corresponding dependent claims, are allowable over the cited references for at least the same reasons discussed above in connection with claim 1, and respectfully requests withdrawal of the §102 and §103 rejections of these claims.

In view of the foregoing, Applicant respectfully submits that all the rejections and objections to the independent claims are now moot and that the independent claims are now in condition for allowance. Accordingly, any of the remaining rejections and assertions made, particularly with respect to the dependent claims, do not need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited references or the pending application, and particularly with regard to the dependent claims.[4]

To the contrary, many of the dependent claims are independently distinguishable over the cited references. New claim 51, for example, adds additional detail about the act of sending the single message item and breaks the sending down to first and second applications using first and second protocols. New claim 52 particularly points out that that same data from the single message item is sent to both the first message application and the second message application. The cited references, when considered singly or in combination, fail to disclose or suggest at least these additional claim limitations.

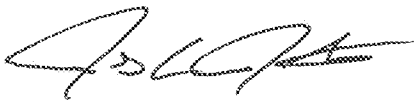
In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

[4] Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, although the prior art status of the cited references is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited references at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited references.

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; and/or (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 26th day of August, 2011.

Respectfully submitted,



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